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C O N F I D E N T I A L SECTION 01 OF 03 BRUSSELS 000065

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FOR THE SECRETARY FROM THE AMBASSADOR

E.O. 12958: DECL: 01/19/2020  
TAGS: [PREL](#) [KPAL](#) [MASS](#) [MARR](#) [EU](#)  
SUBJECT: SCENESETTER FOR THE SECRETARY'S JANUARY 21 MEETING  
WITH EU HIGH REPRESENTATIVE ASHTON

Classified By: Ambassador William E. Kennard, for reasons 1.5 (b) and (d)

Madame Secretary:

11. (C) SUMMARY: Your January 21 meeting with EU High Representative for Foreign Affairs and Security Policy Catherine Ashton will enable you to deepen the relationship you established with her during your introductory meeting at NATO in early December and in subsequent phone calls. By receiving HR Ashton in Washington, you underline the importance we attach to working with an invigorated EU under the Lisbon Treaty. While the most pressing subject will be careful coordination of disaster assistance to Haiti, the meeting can reinforce Senator Mitchell's message on the urgency of starting Middle East negotiations, reaffirm the importance of the EU's civilian efforts in Afghanistan and stepped up assistance to Pakistan, build closer cooperation on Bosnia, encourage Ashton's involvement in developing a common capacity for crisis management, and to further a data-sharing and protection agreement. HR Ashton's visit to Washington will help build her credibility as the EU's new foreign policy leader. END SUMMARY.

12. (C) Lady Catherine (Cathy) Ashton took up her duties as EU High Representative on December 1, 2009, when the Lisbon Treaty came into effect; approval from the European Parliament, expected February 9 in an up-or-down vote on the entire European Commission, will enable her to assume her office as Vice President of the European Commission as well. She comes to the position after service as European Trade Commissioner. Reports on her parliamentary hearings January 11 emphasized heradroitness at fielding questions, but also her lack of direct foreign and security policy experience. There are some who continue to criticize her appointment, and the consensus process from which it emerged; a process that balanced national and political party interests, in this case in the wake of the failed EU presidential candidacy of Tony Blair. Some will try to undermine her position by emphasizing doubts over the choice. Center-right and Green Party leaders in the European Parliament, for example, were quick to criticize her for failing to fly immediately to Haiti, as you did. However, when I accompanied Special Envoy George Mitchell to his January 12 meeting with her, she projected a sense of purpose and control, and a clear intent to look for ways to cooperate with the U.S. on our top shared goals.

HAITI

13. (C) I understand that you and HR Ashton agreed that Haiti would top your agenda. The EU, like the U.S., has acted quickly to mobilize its vast emergency response resources, with both the EU as an entity and member states on their own taking action to help. EU development ministers met in an emergency session on January 18 to discuss assistance, which, including EU institutions and member

states, totals 422 million Euro. They noted the valuable U.S. effort and requested an EU-wide response plan for post-emergency recovery and reconstruction building on the division of labor between EU institutions and member states and bridging humanitarian and development programs. Your meeting will provide the opportunity for a discussion of how the U.S. and EU can make sure that we work together to ensure our efforts are well-coordinated to best help the people of Haiti, and that our long-term commitment to Haiti builds on that coordination. It will also help dispel media efforts to portray a rivalry between the U.S. and the EU on assistance effort.

#### MIDDLE EAST

14. (C) On Middle East peace efforts, HR Ashton will likely seek your advice on what she can most usefully do to support our efforts to bring about negotiations leading to the creation of a Palestinian state. She made a public commitment to the European Parliament during her hearing to travel to the region as soon as possible, but told Senator Mitchell in their January 12 meeting that she wants to make the trip in close consultation with him. As EU High Representative, she will be part of the Quartet and wants to coordinate with us in responding, for example, to Russian Foreign Minister Lavrov's suggestion of a summit. Ashton agreed to look closely at Senator Mitchell's request that the EU press the Palestinians to come to the negotiating table and that the EU front-load its assistance so that there is a functioning Palestinian government and economy. She also undertook to increase the EU's assistance for building a functioning Palestinian judicial sector. Ashton sounded a

BRUSSELS 00000065 002 OF 003

note of concern, however, that continued Israeli settlement activity in East Jerusalem was separating the area from the West Bank, and conveyed the often-expressed sentiment that the EU is expected to pay large sums to ease the suffering of the Palestinian people caused by the Israeli occupation.

#### AFGHANISTAN AND PAKISTAN

15. (C) HR Ashton will want to hear further detail about the roll-out of the U.S. civilian plan for Afghanistan. The EU announced a new Action Plan for Afghanistan and Pakistan in October 2009, and is set to release its implementation strategy at the end of January. Primary responsibility for implementing the plan will fall to Ashton, who will oversee the combination of EU offices in Kabul into one main office, regularly report on the implementation of the Action Plan to the European Council, and direct the EU development money to the EU's stated priority sectors of sub-national governance and policing. The EU is also increasing its annual development assistance for both Afghanistan and Pakistan, but any additional increase in assistance would need to be approved at Ashton's level, as it would require moving money designated for other regions into the Asia budget. Ashton will also oversee the EU's civilian security programs, including the EUPOL police training mission in Afghanistan. EUPOL, which provides specialized police training, has had difficulty fulfilling its mandate of 400-trainers (they now total approximately 320 police trainers), and is looking critically at how the mandate fits into the broader police training mandate in Afghanistan. Ashton's predecessor Javier Solana requested several times that the U.S. provide in extremis security support for EUPOL in several PRTs, but the U.S. has never responded to that request.

16. (C) The EU has a less-developed relationship with Pakistan, but has increased assistance in recent years and also dual-hatted its Special Representative for Afghanistan's mandate to include Pakistan. Additionally, the EU has committed itself to holding an EU-Pakistan summit during the current Spanish Presidency. The first such summit was in June 2009. Pakistan's main goals for its relationship with the EU are primarily traderelated; as the former Trade

Commissioner, Ashton should be able to provide a frank assessment of whether the EU may be able to deepen its economic relationship with Pakistan. Pakistan seeks access to the EU's GSP-plus system of trade preferences, but the EU has strict economic criteria for countries to qualify; the EU is planning an assessment to be completed by 2012 of whether Pakistan would be eligible. The EU also has concerns about Pakistan's willingness to partner with it; EU diplomats in Islamabad have been without security protection for two months since Pakistan removed the license of its Western guards to carry weapons, and HR Ashton may raise this problem.

#### BOSNIA

17. (C) HR Ashton's staff is interested in continuing the Butmir process to promote Bosnian constitutional reform and sees this as her first potential foreign policy deliverable. She conducted a "brainstorming" session on Bosnia with key staff and former High Representative Paddy Ashdown during the week of January 11, but we are not yet sure of her views. It does not appear that she has worked out a division of responsibilities on this issue with Spanish FM Moratinos. We want to urge her to preserve the Office of the High Representative through the extension or make individual decisions. At the same time, there is intense pressure from EU Member State ministries of defense to reconfigure the EU's military presence in Bosnia to a significantly smaller, non-executive training mission, a decision we want the EU to delay until after OHR's future is more clear. Close cooperation with HR Ashton on Bosnia would build on existing cooperation, but we need to win her over to our side on key issues and ensure synergies.

#### CRISIS MANAGEMENT

18. (Q) Given world events and the EU's increasing ability to act, we believe that the time is ripe for us to put into operation our crisis management cooperation with the EU. Ashton has already indicated to you her receptiveness to the concept. To some extent, greater cooperation is already happening. In 2008, U.S. personnel joined the EU's Rule of

BRUSSELS 00000065 003 OF 003

Law Mission in Kosovo, U.S. naval forces initiated cooperation with the EU counter-piracy operation off the coast of Somalia, and we promised to provide a U.S. prosecutor to the EU's security sector reform mission in Guinea-Bissau, although we have not yet done so. In the last few days, we have pledged to send U.S. personnel to the EU's security sector reform missions in the Democratic Republic of Congo in order to extend the rule of law and combat sexual violence. We need to move quickly to put the legal arrangements in place to deploy these personnel. In addition, in the coming weeks, we will have the opportunity to find a shared way forward for training Somali security forces, an issue Ashton may raise with you.

#### DATA PRIVACY

19. (C) On data privacy and terrorism finance, in addition to broader cooperation with the EU on aviation security (which Secretary Napolitano will discuss with EU Justice and Interior Ministers at a meeting in Spain on January 22), we would like to see Ashton play a more direct role in improving cooperation on counterterrorism information sharing. Specifically, we have two bilateral agreements on information sharing that are now pending approval in the European Parliament: on sharing of Passenger Name Records for air traffic passengers, and sharing financial data under the Terrorist Finance Tracking Program. Because of a mix of pique over their limited role in the negotiations to date and misinformation about U.S. respect for data privacy, there is a strong and vocal opposition to these agreements in the European Parliament. We believe a majority

exists in favor, but we will need coordinated engagement to achieve this. Ashton's personal engagement in this foreign policy priority will be an asset. As important, we need Ashton's support for a legally binding framework agreement with the EU on data privacy principles. Such an agreement, building on a previously identified set of principles, will remove a major obstacle to future law enforcement and counterterrorism cooperation. The European Commission has recently indicated it intends to slow work on a data privacy agreement. We seek Ashton's support for moving forward during the coming months.

¶10. (C) The issues to discuss with the EU are many, and the time is propitious, especially now that the drawn out institutional uncertainties which dogged Brussels prior to ratification of the Lisbon Treaty are over. The implementation of Lisbon itself, notably the new EU diplomatic corps (aka European External Action Service), will take time, but the way is clearer. We should keep in mind that Catherine Ashton's position now incorporates what both Javier Solana at the Council and Benita Ferrero-Waldner at the Commission did separately, and takes up the role previously played by the Foreign Minister of the rotating presidency in setting foreign affairs agendas. In addition, she has the responsibility for setting up the entirely new institution of the European External Action Service. Her challenges are daunting; however, we think she is off to a credible start.

KENNARD

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